

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

v.

CASIANO MARTINEZ.

Criminal Action No.: 06-935 (PGS)

ORDER

This matter comes before the Court on Defendant Casiano Martinez's ("Defendant") motion to dismiss indictment and preclude sentence enhancement under 8 U.S.C. § 1326(b)(2) ("Defendant's Motion to Dismiss Indictment and Preclude Sentence Enhancement Under 8 U.S.C. § 1326(b)(2)"). The Court, having reviewed the parties' submissions, having heard oral argument, and for the reasons set forth on the record;

IT IS on this 1st day of October 2010,

ORDERED that Defendant's Motion to Dismiss Indictment and Preclude Sentence Enhancement Under 8 U.S.C. § 1326(b)(2) (Docket Entry 38) is denied.



PETER G. SHERIDAN, U.S.D.J.